

Authority: Government Management Committee Item 13.18,
adopted as amended, by City of Toronto Council on April 28 and 29, 2008
Enacted by Council: April 29, 2008

CITY OF TORONTO

BY-LAW No. 385-2008

To expropriate portions of 1797 St. Clair Avenue West for road widening purposes to accommodate St. Clair Avenue West transit improvements.

WHEREAS notice of an application to the Council of the City of Toronto for approval to expropriate interests in the lands hereinafter described, for or in connection with the St. Clair Avenue West Transit Improvement Project, has been served on the registered owner thereof and has been published pursuant to the provisions of the *Expropriations Act*; and

WHEREAS a notice in writing of a desire for a hearing of necessity with respect to such interests was received and such hearing was held before an inquiry office on January 29, 2008 pursuant to section 7 of the *Expropriations Act*; and

WHEREAS the Council of the City of Toronto has considered the report of the said inquiry officer recommending approval of the application to expropriate the interests in land herein;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The expropriation of the interests in land set forth in sections 2 and 3 is hereby approved pursuant to section 8 of the *Expropriations Act*.
2. A fee simple interest in the lands legally described as part of Lot 1, Plan M-160 and designated as Part 1 on a Draft Plan of Survey prepared by Toronto Survey and Mapping Services dated April 1, 2008 and identified as Job 2008-0286 is hereby expropriated and taken for and in connection with the St. Clair Avenue West Transit Improvement Project for all works and uses ancillary thereto pursuant to the provisions of section 9 of the *City of Toronto Act, 2006*.
3. A temporary easement for a period ending December 31, 2009 in the lands legally described as Lots 1, 2 and 3 on Plan M-190 and designated as Parts 2, 3, 4 and 5 on a Draft Plan of Survey prepared by Toronto Survey and Mapping Services dated April 1, 2008 and identified as Job 2008-0286 is hereby expropriated and taken for and in connection with the St. Clair Avenue West Transit Improvement Project for all works and uses ancillary thereto pursuant to the provisions of section 9 of the *City of Toronto Act, 2006*.
4. Authority is hereby granted for the signing, sealing and registration in the proper Land Registry Office of the plans showing the lands and interests in land expropriated pursuant to sections 2 and 3 including the payment of all expenses incidental thereto.

5. Each of the Executive Director of Facilities & Real Estate Services and the Director of Real Estate Services is hereby authorized to sign and serve on the registered owner of the properties set forth in sections 2 and 3 the Notices of Expropriation, Notices of Election as to a Date for Compensation and Notices of Possession as contemplated by the *Expropriations Act*.
6. Authority is hereby granted to apply to Court for an Order permitting the City to take early possession of the expropriated property.
7. The Mayor and the proper officers of the City are hereby authorized and directed to do all things necessary to give effect to this by-law, and the City Clerk and City Treasurer are hereby directed to execute all documents necessary in that behalf, and the said Treasurer is authorized and directed to affix the corporate seal of the City to all such documents.

ENACTED AND PASSED this 29th day of April, A.D. 2008.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)